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UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH  
\_\_\_\_\_  
DIVISION

JONATHAN DENIS FISHBACK.  
(Full Name)

PLAINTIFF

vs.

KISTA M. CARMAN

TYRONE MITCHELL

SHERY LECKRONE

\_\_\_\_\_  
DEFENDANTS

CIVIL RIGHTS COMPLAINT  
(42 U.S.C §1983, §1985)

C Case: 2:22-cv-00153  
Assigned To : Oberg, Daphne A.  
Assign. Date : 3/4/2022  
Description: Fishback v Carman et al

A. JURISDICTION

1. Jurisdiction is proper in this court according to:

- a. ☒ 42 U.S.C. §1983  
b. ☐ 42 U.S.C. §1985  
c. ☐ Other (Please Specify) \_\_\_\_\_

2. NAME OF PLAINTIFF JONATHAN DENIS FISHBACK  
IS A CITIZEN OF THE STATE OF UTAH

PRESENT MAILING ADDRESS: 645. RIVIERA. CIRCLE  
SALT LAKE CITY UTAH. 84106

3. NAME OF FIRST DEFENDANT KISTA M. CARMAN  
IS A CITIZEN OF ARIZONA, PRESCOTT.  
(City and State)

IS EMPLOYED AS JUDGE at YAVAPAI COUNTY  
(Position and Title if Any) (Organization)

Was the defendant acting under the authority or color of state law at the time these claims occurred?

YES ☒ NO ☐. If your answer is "YES" briefly explain.

SITTING JUDGE

4. NAME OF SECOND DEFENDANT TYRONE MITCHELL  
(If applicable)

IS A CITIZEN OF PHO PHOENIX, ARIZONA  
(City and State)

IS EMPLOYED AS ATTORNEY at YAVAPAI COUNTY  
(Position and Title if Any) (Organization)

Was the defendant acting under the authority or color of state law at the time these claims occurred?

YES ☒ NO ☐. If your answer is "YES" briefly explain.

ATTORNEY OF RECORD.

5. NAME OF THIRD DEFENDANT SHERRY LECKRONE  
(If applicable)

IS A CITIZEN OF PRESCOTT, ARIZONA  
(City and State)

IS EMPLOYED AS PROSECUTOR at YAVAPAI COUNTY  
(Position and Title if Any) (Organization)

Was the defendant acting under the authority or color of state law at the time these claims occurred?

YES ☒ NO ☐. If your answer is "YES" briefly explain.

PROSECUTOR FOR THE COUNTY OF YAVAPAI  
\_\_\_\_\_  
\_\_\_\_\_

6. NAME OF FOURTH DEFENDANT \_\_\_\_\_  
(If applicable)

IS A CITIZEN OF \_\_\_\_\_  
(city and State)

IS EMPLOYED AS \_\_\_\_\_ at \_\_\_\_\_  
(Position and Title if Any) (Organization)

Was the defendant acting under the authority or color of state law at the time these claims occurred?

YES ☐ NO ☐. If your answer is "YES" briefly explain.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Use additional sheets of paper if necessary.)

#### B. NATURE OF CASE

1. Why are you bringing this case to court? Please explain the circumstances that led to the problem.

I HAVE ASKED FOR THE NATURE + CAUSE FROM  
THE PROSECUTOR AND <sup>FOLLOWED</sup> FOTTER UP WITH A LETTER.  
I ASK THE JUDGE AND THE PUBLIC DEFENDER  
NO ONE WILL GIVE ME ANSWER.

C. CAUSE OF ACTION

1. I allege that my constitutional rights, privileges or immunities have been violated and that the following facts form the basis for my allegations: (If necessary you may attach additional pages)

a. (1) Count I: DEPRIVATION OF RIGHT 6<sup>th</sup> AMENDMENT.  
AMENDMENT

- (2) Supporting Facts: (Describe exactly what each defendant did or did not do. State the facts clearly in your own words without citing legal authority or arguments.)

I ASKED FOR THE NATURE + CAUSE OF  
THE ALLEGATIONS. THE JUDGE NOR THE  
PUBLIC DEFENDER OR THE PROSECUTOR  
WOULD ANSWER QUESTION.

b. (1) Count II: INEFFECTIVE ASSISTANCE OF COUNCIL. 6<sup>th</sup> AMENDMENT.  
AMENDMENT

- (2) Supporting Facts: I ASKED TYRONE MITCHELL  
THE PUBLIC DEFENDER. IF WAS GOING TO  
FILE A DISCOURARY MOTION, HE SAID NO.  
I ASK IF HE WAS GOING TO SUBMITT A MOTION  
TO SUPPRESS. HE SAID NO: THIS TOOK PLACE ON  
FEB. 10<sup>th</sup> @ 10:10 AM.

c. (1) Count III: \_\_\_\_\_

(2) Supporting Facts: \_\_\_\_\_

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D. INJURY

1. How have you been injured by the actions of the defendant(s)?

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E. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

1. Have you filed other lawsuits in state or federal court that deal with the same facts that are involved in this action or otherwise relate to the conditions of your imprisonment?  
YES \_\_\_\_\_ / NO N/A. If your answer is "YES," describe each lawsuit. (If there is more than one lawsuit, describe additional lawsuits on additional separate pages, using the same outline.)

a. Parties to previous lawsuit:

Plaintiff(s): \_\_\_\_\_

Defendant(s): \_\_\_\_\_

b. Name of court and case or docket number: \_\_\_\_\_

c. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) \_\_\_\_\_

d. Issues raised: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

e. When did you file the lawsuit? \_\_\_\_\_  
Date Month Year

f. When was it (will it be) decided? \_\_\_\_\_

2. Have you previously sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in Part C? YES\_\_\_\_ / NO \_\_\_\_\_. If your answer is "YES" briefly describe how relief was sought and the results. If your answer is "NO" explain why administrative relief was not sought.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

F. REQUEST FOR RELIEF

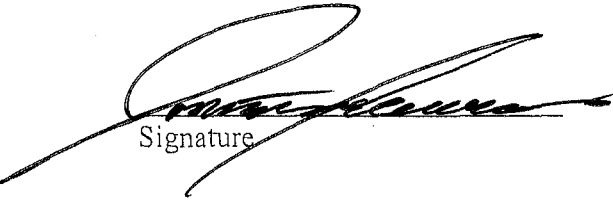
1. I believe that I am entitled to the following relief:

FOR THE CASE TO BE DISMISSED WITH PREJUDICE  
REMAKE  
AND TO ME MADE WHOLE. 37,865.18  
\_\_\_\_\_  
\_\_\_\_\_

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares under penalty of perjury that he/she is the plaintiff in the above action, that he/she has read the above complaint, and that the information contained therein is true and correct. 28 U.S.C. §1746; 18 U.S.C §1621.

Executed at Utah on 3-4 20 22  
(Location) (Date)

  
Signature